

FORM TO BE USED BY A PRISONER IN FILING A CIVIL RIGHTS COMPLAINT  
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

Randy Washington

COMPLAINT

(Enter above the full name of the plaintiff in this action)

V.

Civil Action No. \_\_\_\_\_

Sco. F. Albano, sco. Black, sco. Foren, sco

(To be supplied by the Clerk of the Court)

RECEIVED

MAY 06 2019

Sergeant Samosuk, N.J.S.P Medical

Naparelia

John & Jane Doe  
Steff: Doctor's ~~W. B. Brown~~, Steven Johnson, Administrator N.J.S.P  
Marcus O. Hicks Commissioner N.J.D.C.

(Enter the full name of the defendant or defendants in this action)

AT 8:30 \_\_\_\_\_ M  
WILLIAM T. WALSH  
CLERK

INSTRUCTIONS; READ CAREFULLY

1. This complaint must be legibly handwritten or typewritten, signed by the plaintiff and subscribed to under penalty of perjury as being true and correct. All questions must be answered concisely in the proper space on the form. Where more space is needed to answer any question, attach a separate sheet.
2. In accordance with Rule 8 of the Federal Rules of Civil Procedure, the complaint should contain (1) a short and plain statement of the grounds upon which the court's jurisdiction depends, (2) a short plain statement of the claim showing that you are entitled to relief, and (3) a demand for judgment for the relief which you seek.
3. You must provide the full name of each defendant or defendants and where they can be found.
4. You must send the original and one copy of the complaint to the Clerk of the District Court. You must also send one additional copy of the complaint for each defendant to the Clerk. Do not send the complaint directly to the defendants.
5. Upon receipt of a fee of \$400.00 (a filing fee of \$350.00, and an administrative fee of \$50.00), your complaint will be filed. You will be responsible for service of a separate summons and copy of the complaint on each defendant. See Rule 4, Federal Rule of Civil Procedure.

6. If you cannot prepay the \$400.00 fee, you may request permission to proceed in forma pauperis in accordance with the procedures set forth in the application to proceed in forma pauperis. See 28 U.S.C. §1915. (If there is more than one plaintiff, each plaintiff must separately request permission to proceed in forma pauperis.)

7. If you are given permission to proceed in forma pauperis, the \$50.00 Administrative Fee will not be assessed. The Clerk will prepare and issue a copy of the summons for each defendant. The copies of summonses and the copies of the complaint which you have submitted will be forwarded by the Clerk to the United States Marshal, who is responsible for service. The Marshal has USM-285 forms you must complete so that the Marshal can locate and serve each defendant. If the forms are sent to you, you must complete them in full and return the forms to the Marshal.

### QUESTIONS TO BE ANSWERED

1a. Jurisdiction is asserted pursuant to (CHECK ONE)

☒ 42 U.S.C. §1983 (applies to state prisoners)

☐ Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971) and 28 U.S.C. § 1331 (applies to federal prisoners)

If you want to assert jurisdiction under different or additional statutes, list these below:

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1b. Indicate whether you are a prisoner or other confined person as follows:

☐ Pretrial detainee

☐ Civilly-committed detainee

☐ Immigration detainee

☒ Convicted and sentenced state prisoner

☐ Convicted and sentenced federal prisoner

☐ Other: (please explain) \_\_\_\_\_

## 2. Previously Dismissed Federal Civil Actions or Appeals

If you are proceeding in forma pauperis, list each civil action or appeal you have brought in a federal court while you were incarcerated or detained in any facility, that was dismissed as frivolous or malicious, or for failure to state a claim upon which relief may be granted. Please note that a prisoner who has on three or more prior occasions, while detained in any facility, brought an action or appeal in a federal court that was dismissed as frivolous or malicious, or for failure to state a claim upon which relief may be granted, will be denied in forma pauperis status unless that prisoner is under imminent danger of serious physical injury. See 28 U.S.C. § 1915(g).

## a. Parties to previous lawsuit:

Plaintiff(s): \_\_\_\_\_

Defendant(s): \_\_\_\_\_

## b. Court and docket number: \_\_\_\_\_

- c. Grounds for dismissal: ( ) frivolous ( ) malicious  
( ) failure to state a claim upon which relief may be granted

## d. Approximate date of filing lawsuit: \_\_\_\_\_

## e. Approximate date of disposition: \_\_\_\_\_

If there is more than one civil action or appeal, describe the additional civil actions or appeals using this same format on separate sheets.

3. Place of Present Confinement? New Jersey State Prison

## 4. Parties

(In item (a) below, place your name in the first blank and place your present address in the second blank. Do the same for additional Plaintiffs, if any.)

a. Name of plaintiff: Randy Washington

Address: N.J. S.P P.O. Box 861 Trenton, NJ 08625

Inmate #: 286165C/1134298

b. First defendant:

Name: F. Albiano

Official position: S.C.O - Senior Correction Officer

Place of employment: New Jersey State Prison

How is this person involved in the case?

(i.e., what are you alleging that this person did or did not do that violated your constitutional rights?)

Sco. F. Albiano was medi asked for a Sergeant so He pushed me punched me with a Flash light repeatedly. Where there was no need for force. Clearly ~~violating~~ Violating my ~~rights~~ Constitutional rights. "Eighth Amendment"

c. Second defendant:

Name: Black

Official position: SCO - Senior Correction officer

Place of employment: New Jersey State Prison

How is this person involved in the case?

(i.e., what are you alleging that this person did or did not do that violated your constitutional rights?)

Sco. Black ramed my Head in to every door wall all the way to the medical clinic. Once in the Clinic room Sco. Black assaulted me with other corrections officers. And i was hand cuff behind my back. Violating my Eighth Amendment Rights.

d. If there are more than two defendants, attach a separate sheet. For each defendant specify: (1) name, (2) official position, (3) place of employment, and (4) involvement of the defendant.

SCO

~~Defendant~~ Defendant #3 Foran

Official Position: Senior correction officer

Place of employment: New Jersey state Prison

SCO Foran rammed my head in to every wall & door frame going to the medical clinic.

Once in the Clinic Room SCO Foran repeatedly hit me in my Head and face and i was handcuffed behind my back, using excessive Force Violating my Constitutional rights.

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MAY 06 2019

AT 8:30 \_\_\_\_\_ M  
WILLIAM T. WALSH  
CLERK

4  
Defendant ~~4~~ Sergeant, Samosuk

Official position: Sergeant

Place of employment: New Jersey State Prison

Sgt. Samosuk lead the way to the medical Clinic and when we got there told every one to get to the back rooms. And they assaulted me in the front room using excessive force and saying to me this is what happen when you hit a C/O. And I was hand cuffed the whole time. Violating my Constitutional rights.

Defendant #5 New Jersey State Prison  
medical staff and Doctor's John & Jane Doe.

~~When~~ They did not take me to the  
Hospital when they knew my hand was  
Broken, and were negligence to my  
deliberate indifference by not reporting  
all my injuries to my Head Face and  
Finger that were a serious medical need  
Violating my Constitutional rights  
And the Standard Operation Procedure  
were not followed because the sergeant  
Samosuk told the staff what not to do  
But they told him they can not stop the  
Bleeding with sticks. And did not  
take me to the Hospital for a  
Broken pointer fingers and thumb



Defendant #6 Steven Johnson

Official Position: Administrator

Place of employment New Jersey State Prison

Administrator Steven Johnson is the

Administrator in New Jersey State Prison

He is legally responsible for the operation of New Jersey State Prison and ~~the~~ for the welfare of all the inmates in that

Prison. On 11-21-17 He was told about

it He just care about ~~my~~ seeing the

Prison. He just choose to cover it up

the best they could, I wrote to him to

he did ~~too~~ nothing. He was making

the Prison unsafe for me, violating my

Constitutional rights and Deliberate

indifference.



Defendant #7 Marcus O. Hicks  
Official Position: Acting Commissioner  
of the Department of Corrections  
Place of Employment Department of  
Corrections.

He was told, Him and or other  
Commissioner about New Jersey State  
Prison guards and S.I.D and Prison  
official not doing ~~nothing~~ anything ~~at~~  
about Prison guards assaulting inmates  
with cuffs on or just a Campaign  
of harassment. And a bad case of  
Excessive force. ~~violating~~ and  
making New Jersey State Prison unsafe  
Violating my Constitutional rights.

5. I previously have sought informal or formal relief from the appropriate administrative officials regarding the acts complained of in the Statement of Claims on page 6.

☒ Yes      ☐ No

If your answer is "Yes," briefly describe the steps taken, including how relief was sought, from whom you sought relief, and the results.

On 12-12-17 and 12-13-17 i put in a Inquiry about what happen to me at New Jersey State Prison to solve the problem and 12-21-17- 1-22-18 1-16-18- 3-13-18. And then a Grievance 3-15-18- 4-22-18- 5-16-18 denied my Grievance and the appeal of my Grievance. I try talking to anyone and every one.

If your answer is "No," briefly explain why administrative remedies were not exhausted.

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## 6. Statement of Claims

(State here as briefly as possible the facts of your case. Describe how each defendant violated your rights, giving dates and places. If you do not specify how each defendant violated your rights and the date(s) and place of the violations, your complaint may be dismissed. Include also the names of other persons who are involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach a separate sheet if necessary.)

- ① On 11-21-17 Defendant SCA F. Albano, on WC 2R Assaulted me For know/Reason and use of excessive force Violating my Constitution rights because i asked for a supervisor. ② On 11-21-17 at West compound 2 R, ~~Sco Black~~ Defendant sco. Black, I was hand cuff being leaded off of W.C. 2R sco Black run my Head in the doors going in to the rotunda. And on every door going to the medical Clinic. Once in the Clinic room sco. Black assaulted me Punching me in the Head and face. I was Hand cuffed. Violating my Constitution rights

③ On 11-21-17 at W/C-2R SCO Foran defendant Violated my Constitution by running my Head into every wall of a door frame. And when i got to the medical Clinic room, sco. Foran assaulted me and used excessive force and i was Hand Cuff at the time. ④ On 11-21-17 at the Clinic Sergeant. Samosuk the defendant used excessive force by Punching me in my Face and Head. And i was Hand Cuffed the Sgt. was saying to me "this is how it is when you hit a officer" Violating my Constitution rights.

⑤ Defendant John and James Does Medical Clinic nurse's and Doctor And the Orthopedic Doctor's negligent ~~Doctors~~ were deliberate indifference to my serious medical needs to go to a Hospital. Violating my Constituted rights. On 11-21-17 at the medical and at medical over Flow at all time i went. ⑥ Steven Johnson Defendant was told about what happen to me by officers that have done this to inmates many times before and did nothing about it. On 11-21-17 He was told i might sue He just choose to cover it up. He was make it a unsafe conditions. Violating my Constitutional rights. ⑦ Defendant, Marcus O. Hicks is the acting Commissioner of the New Jersey Department of Corrections. He is legally responsible for the overall operation of the Department and each institution under it's jurisdiction, including New Jersey State Prison. I wrote to Marcus O. Hicks on June 4, 2018 Telling him about Steven Johnson and S.I.D covering it up on 11-21-17 He give it to Tiffany Fairweather inmate correspondence unit And she send it Back to the same S.I.D i told her are covering it up.

Defendants

And sco. Naparelia (sic) was with sco. Albiano when he assaulted me. And i asked him to get a sergeant all he did was back up his co-worker in assaulting me by spaying me when sco. Albiano was attacking me.

sco. Naparelia could of stopped sco. Albiano from doing all of this if he would of told his co-work he not going to help cover it all with him It would of never happen

7. Relief

(State briefly exactly what you want the Court to do for you. Make no legal arguments. Cite no cases or statutes.)

A preliminary and permanent injunction ordering defendants Commissioner of D.O.C to Fire sco. F. Albiano, sco. Black, sco. Foran Sergeant. Samosuk and the medical Clinic staff and Doctor's who did not do there job as there Standard Operation procedure

And Filer Steven Johnson. And to send me to East Jersey State Prison  
~~And~~ And compensatory damages and nominal damages in the amount of  
\$2,000,000. And Punitive damages in the amount of \$50,000  
against each defendant.

Plaintiff's costs in this suit.

8. Do you request a jury or non-jury trial? (Check only one)

☒ Jury Trial ( ) Non-Jury Trial

I declare under penalty of perjury that the foregoing is true and correct.

Signed this \_\_\_\_\_ day of October, 2018

Randy Washington

Signature of plaintiff\*

(\*EACH PLAINTIFF NAMED IN THE COMPLAINT MUST SIGN THE COMPLAINT  
HERE. ADD ADDITIONAL LINES IF THERE IS MORE THAN ONE PLAINTIFF.  
REMEMBER, EACH PLAINTIFF MUST SIGN THE COMPLAINT).